

## **REMARKS**

**[0003]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 24-30, 33-34, 48-53, 58-60 and 62 are presently pending. Claims 24, 48, 58 and 62 are amended herein. Claims 31 and 32 cancelled herein. No new claims are added herein.

### **Formal Request for an Interview**

**[0004]** If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

**[0005]** Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

### **Claim Amendments**

**[0006]** Without conceding the propriety of the rejections herein and in the the interest of expediting prosecution, Applicant amends claims 24, 48, 58 and 62 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and more quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features,

and should not be construed as further limiting the claimed invention in response to the cited references.

**[0007]** Claims 24 and 62 are amended to include subject matter from dependent claims 31 and 32. Support for the amendments to claims 24 and 62 are found in the specification at least at page 26.

**[0008]** Additionally, independent claims 24, 48, 58 and 62 are amended to clarify that attributes assigned to goods or services comprise a relative importance that identifies geographic importance relative to a region. Support for these amendments can be found at least at pages 20 and 21 of the present application.

## **Substantive Matters**

### **Claim Rejections under § 112 2<sup>nd</sup> ¶**

**[0009]** Claims 24, 48, 49, 53, 58 and 62 are rejected under 35 U.S.C. § 112, 2<sup>nd</sup> ¶. Applicant respectfully traverses this rejection. Furthermore, in light of the amendments presented herein, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

### **Claim Rejections under §§ 102 and 103**

**[0010]** The Examiner has rejected claims 24-28, 30-31, 48-49, 58-60 and 62 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,295,261 issued to Simonetti. Applicant respectfully traverses the Examiner's rejection, but in an attempt to advance prosecution, Applicant has amended the

independent claims to incorporate subject matter previously claimed or disclosed within the application. For the reasons set forth below, the Examiner has not shown that the cited references anticipate the rejected claims as presently amended.

**[0011]** In addition, the Examiner rejects claims 29, 32-36 and 50-53 under 35 U.S.C. §103(a) as being unpatentable over Simonetti in view of U.S. Patent No. 6,421,716 to Eldridge. These claims ultimately depend upon allowable independent claims. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. For the reasons set forth below, the Examiner has not made a prima facie case showing that the rejected claims are obvious.

**[0012]** Accordingly, Applicant respectfully requests that the §102 and §103 rejections be withdrawn and the case be passed along to issuance.

### **Anticipation Rejections**

**[0013]** Applicant submits that the anticipation rejections are not valid because, for each rejected claim, no single reference discloses each and every element of that rejected claim as presently amended.<sup>1</sup> Furthermore, the

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<sup>1</sup> "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); also see MPEP §2131.

elements disclosed in the single reference are not arranged in the manner recited by each rejected claim as presently amended.<sup>1</sup>

### **Based upon Simonetti**

[0014] The Examiner rejects claims 24-28, 30-31, 48-49, 58-60 and 62 under 35 U.S.C. § 102(b) as being anticipated by Simonetti. Applicant respectfully traverses the rejection of these claims. Based on the reasons given below, Applicant asks the Examiner to withdraw the rejection of these claims.

### **Independent Claim 24**

[0015] Applicant submits that Simonetti does not anticipate this claim because it does not disclose the following elements as recited in this claim (with emphasis added):

a first hierarchical tree structure having multiple nodes associated with a first context, wherein the first hierarchical tree structure resides on the one or more computer-readable media **and the first hierarchical tree structure comprises a standardized view of the Earth;**

at least one second hierarchical tree structure having multiple nodes associated with a second context, wherein the second

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<sup>1</sup> See *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

hierarchical tree structure resides on the one or more computer-readable media and the at least one second hierarchical tree structure comprises an organization-specific view of at least a portion of the Earth, the organization-specific view comprising a physical/logical entity that links into specific portions of the Earth and the organization-specific view has no context outside of the organization; and

at least one node from the at least one second hierarchical tree structure being linked with one node on the first hierarchical tree structure by a link that is configured to enable a complete context to be derived from the first and second contexts, individual nodes having unique IDs that serve as a basis by which attributes are assigned to goods or services, wherein attributes assigned to goods or services comprise a relative importance that identifies geographic importance relative to a region;

[0016] Simonetti does not disclose the “organization-specific view comprising a physical/logical entity that links into specific portions of the Earth and the organization-specific view has no context outside of the organization”. More particularly, the combination of Simonetti and Eldridge does not disclose “the organization-specific view has no context outside of the organization”.

**[0017]** The Examiner indicates (Action, p. 12) in rejecting dependent claim 32 the following with regard to these claim elements and features incorporated into claim 24 :

derived from first and second set of nodes tree structure. Simonetti does not explicitly teach wherein the information comprises a universal resource locator (URL); wherein the organization-specific view has no context outside of the organization; wherein the computer-readable media is embodied on a mobile computing device; wherein the computer-readable media is embodied on a desktop device; wherein the computer-readable media is embodied a handheld mobile computing device; wherein the computer-readable media is accessible to a computing device via the Internet.

However, Eldridge teaches Uniform Resource Locator (URL) (col. 4, lines 58-62); Internet (col. 4, lines 45-46 and 62-64, item 122 in fig. 1, mobile computing devices (fig. 1, item 118, col. 4, lines 45-46), wireless devices (col. 3, lines 38-48).

**[0018]** Applicant would initially point out that the Examiner readily agrees that Simonetti does not teach or suggest “the organization-specific view [having] no context outside of the organization”. The Examiner then relies upon Eldridge as teaching this element but then fails to point out where within Eldridge this element is taught or suggested. Upon a thorough review of Eldridge, Applicant is unable to ascertain where the Examiner might have read Eldridge as teaching this element. Applicant would respectfully suggest that the Examiner failed to point out with specificity the portions of Eldridge that might teach or suggest this element as Eldridge does not teach or suggest “the organization-specific view [having] no context outside of the organization”.

**[0019]** Independent claim 24 has further been amended to clarify that "attributes assigned to goods or services comprise a relative importance that identifies geographic importance relative to a region". Support for this amendment can be found at least at pages 20 and 21 of the present application.

**[0020]** The Examiner indicates (Action, p. 4) in rejecting claim 24 the following with regard to the element of the attributes being assigned to goods or services:

at least one node from the at least one second hierarchical tree structure being linked with one node on the first hierarchical tree structure by a link that is configured to enable a complete context to be derived from the first and second contexts (the two set of nodes tree structures have a set of nodes in common, in set 52 and in set 62, city nodes, this is a link that is derived from the first and second tree structure (col. 9, lines 5-25), individual nodes having unique IDs that can serve as a basis by which attributes can be assigned to goods or services (each node has each unique IDs and to be assigned to goods or services based on the distributed centers: the nodes in the tree structure such as topological map comprising unique identifier or unique ID, one node for each unique value and each link of topology represents a relationship between nodes (col. 5, lines 15-20, col. 8, lines 30-35, fig. 5). Also, Simonetti teaches distribution center (fig. 6s') where the goods or services are distributed to its customer, services to a number of city distribution centers and ship goods to the customer as specified in the node in fig 6, state and city. Thus, each unique ID node is assigned to goods or services based on the regional distributed centers (col. 5, lines 60-67, col. 10, lines 51-67 and col. 11, lines 1-24)); and

**[0021]** Despite the Examiner's contention, the cited sections of Simonetti fails to teach "individual nodes having unique IDs that serve as a basis by which attributes assigned to goods or services". But in an attempt to advance prosecution, Applicant has further amended claim 24 to clarify that "attributes assigned to goods or services comprise a relative importance that identifies geographic importance relative to a region". Simonetti is completely silent as to the attributes assigned to the goods comprising "a relative importance that identifies geographic importance relative to a region".

**[0022]** Consequently, Simonetti does not disclose all of the elements and features of this claim as presently amended. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

### **Dependent Claims 25-30 and 33-36**

**[0023]** These claims ultimately depend upon independent claim 24. As discussed above, claim 24 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

### **Independent Claim 48**

**[0024]** Applicant submits that Simonetti does not anticipate this claim because it does not disclose the following elements as recited in this claim (with emphasis added):



traverse at least one node of each tree structure to derive a location context, at least one node in a traversal path that leads to a root node of the second hierarchical tree structure being linked with a node of the first hierarchical tree structure, individual nodes having unique IDs that serve as a basis by which attributes can be assigned to goods or services, **wherein attributes assigned to goods or services comprise a relative importance that identifies geographic importance relative to a region**, said multiple nodes comprising parent and children nodes, at least some of the parent nodes and their associated children nodes having IDs that are unique for the associated node

[0025] Independent claim 48 as presently amended is not anticipated by Simonetti. As discussed with reference to independent claim 24, Simonetti fails to teach “attributes assigned to goods or services comprise a relative importance that identifies geographic importance relative to a region”. As such, independent claim 48 is not anticipated for at least the reasons previously discussed. Applicant respectfully requests that the Examiner withdraw the rejection of claim 48.

### **Dependent Claims 49-53**

[0026] These claims ultimately depend upon independent claim 48. As discussed above, claim 48 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

### **Independent Claim 58**

[0027] Applicant submits that Simonetti does not anticipate this claim because it does not disclose the following elements as recited in this claim (with emphasis added):

linking at least one of the multiple nodes to a node of another tree structure having a context and multiple nodes that represent physical and/or logical entities, individual nodes having unique IDs that serve as a basis by which attribute are assigned to goods or services, wherein **attributes assigned to goods or services comprise a relative importance that identifies geographic importance relative to a region;**

[0028] Independent claim 58 as presently amended is not anticipated by Simonetti. As discussed with reference to independent claim 24, Simonetti fails to teach "attributes assigned to goods or services comprise a relative importance that identifies geographic importance relative to a region". As such, independent claim 58 is not anticipated for at least the reasons previously

discussed. Applicant respectfully requests that the Examiner withdraw the rejection of claim 58.

### **Dependent Claims 59-60**

[0029] These claims ultimately depend upon independent claim 58. As discussed above, claim 58 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

### **Independent Claim 62**

[0030] Applicant submits that Simonetti does not anticipate this claim because it does not disclose the following elements as recited in this claim (with emphasis added):

a first hierarchical tree structure having multiple nodes associated with a first context, wherein the first hierarchical tree structure resides on the one or more computer-readable media **and the first hierarchical tree structure comprises a standardized view of the Earth;**

at least one second hierarchical tree structure having multiple nodes associated with a second context, wherein the second hierarchical tree structure resides on the one or more computer-readable media **and the at least one second hierarchical tree structure comprises an organization-**

**specific view of at least a portion of the Earth, the organization-specific view comprising a physical/logical entity that links into specific portions of the Earth and the organization-specific view has no context outside of the organization; and**

at least one node from the at least one second hierarchical tree structure being linked with one node on the first hierarchical tree structure by a link that is configured to enable a complete context to be derived from the first and second contexts, individual nodes having unique IDs that serve as a basis by which attributes are assigned to goods or services, wherein **attributes assigned to goods or services comprise a relative importance that identifies geographic importance relative to a region;**

**[0031]** Independent claim 62 as presently amended is not anticipated by Simonetti. As discussed with reference to independent claim 24, Simonetti fails to teach “the organization-specific view has no context outside of the organization” and “attributes assigned to goods or services comprise a relative importance that identifies geographic importance relative to a region”. As such, independent claim 62 is not anticipated for at least the reasons previously discussed. Applicant respectfully requests that the Examiner withdraw the rejection of claim 62.

## **Dependent Claims**

[0032] In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

## **Conclusion**

[0033] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call or email me or my assistant at your convenience.

Respectfully Submitted,

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